

# WIGDOR LLP

ATTORNEYS AND COUNSELORS AT LAW

85 FIFTH AVENUE  
NEW YORK, NY 10003  
TEL 212.257.6800  
FAX 212.257.6845  
WWW.WIGDORLAW.COM

**Renan F. Varghese**  
[rvarghese@wigdorlaw.com](mailto:rvarghese@wigdorlaw.com)

December 16, 2022

## MEMORANDUM ENDORSED

### VIA ECF

The Honorable Gabriel W. Gorenstein  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: Eckhart v. Fox News Network, LLC, et al.; Civ. Case No. 1:20-cv-5593 (RA)

Dear Judge Gorenstein:

We represent Plaintiff Jennifer Eckhart in the above-referenced matter, and we submit the attached Fourth Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(2), which permits amendment of pleadings with the opposing parties' written consent. We have conferred with counsel for all Defendants, who consent to Plaintiff's request to amend her complaint while reserving all other defenses. Plaintiff seeks to file the attached Fourth Amended Complaint to add claims against all Defendants pursuant to the recently enacted New York's Adult Survivor's Act ("ASA") and to remove claims that were previously dismissed by Judge Abrams. Plaintiff has not amended any of the factual allegations in the instant case. For the Court's clarity, Plaintiff is attaching both clean (Ex. A) and a redline (Ex. B) of the Fourth Amended Complaint hereto.

Accordingly, Plaintiff respectfully requests that the Court accept the attached Fourth Amended Complaint as filed. We thank Your Honor for the Court's consideration and attention to this matter.

Respectfully submitted,

  
Renan F. Varghese

Leave to file the proposed fourth amended complaint is hereby granted on consent.

So Ordered.

  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge

December 19, 2022